

**THE COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF TELECOMMUNICATIONS AND ENERGY**

Proceeding by the Department of Telecommunications and Energy)	
on its own Motion to Develop Requirements for Mass Migrations)	D.T.E. 02-28
of Telecommunications Service End-Users)	

**INITIAL COMMENTS OF RNK INC. D/B/A RNK TELECOM ON DRAFT GUIDELINES
FOR MASS MIGRATIONS**

1. INTRODUCTION

On June 7, 2002, a collaborative effort of several carriers¹ submitted to the DTE draft Guidelines Addressing Mass Migrations (“Guidelines”) when a competitive local exchange carrier exits the market, or a portion of the market, and has a significant customer base to migrate to other carriers. These Guidelines, based upon similar guidelines adopted by the New York Public Service Commission, provide an excellent framework within which to establish rules and procedures that will protect carriers and customers alike. That said, after review, RNK Inc. d/b/a RNK Telecom (ARNK@) brings forward several issues within the Guidelines that it urges the Department and other parties to address in this proceeding.

2. DEFINITIONS

RNK recommends including a “Definitions” section within the Guidelines. Among the definitions the Department should consider addressing are the terms “mass,” “market,” and “significant.” Throughout the Guidelines these terms are used to quantify and qualify situations when CLECs would

¹ The carriers or carrier organizations are as follows: Allegiance Telecom, ASCENT, AT&T, Broadview Net Plus, ChoiceOne Communications, Massachusetts Attorney General, RNK Telecom, SBC Telecom, Verizon Communications, WorldCom, XO

be responsible for implementing the Guidelines. In the event that a carrier leaves the Commonwealth entirely, or migrates all of its customers, one would assume that these would be prime example of a “mass” migration, “significant” customer base, or “market.” For less clear-cut cases, however, RNK poses the question as to when a migration rises to the level of “mass,” or is “significant,” and what defines a “market, or a portion of its market.”² If a carrier leaves a LATA, loses the ability to serve an NPA, or an NXX, or a city or town, or chooses or is forced to discontinue services to a class of customers, such as business or residential, or others. RNK puts forth the idea that an initial threshold number of, say, 500 customers may be in order.

If a threshold number cannot be determined, RNK suggests that the burden be placed upon a CLEC with a potential mass migration to come to the Department for an expeditious decision as to whether a particular action rises to a level where the Guidelines are invoked. If the Department is to decide when the Guidelines will apply, a date of filing by a CLEC that invokes the Guidelines should be considered the beginning of the Department’s 90-day notice period, during the first 5 days of which the Department would make its determination.

RNK also requests definitions the terms “program manager,”³ “project manager,”⁴ and “migration manager.”⁵ The Department might provide further descriptions of and criteria for these

Communications, and Z-Tel Communications.

² See *Mass Migration Guidelines*, DTE 02-028, at 1.

³ *Id.* Section VI, at 5 (second paragraph). “Each mass migration must have a ‘program manager’ responsible for coordinating the overall migration.”

⁴ *Id.* Section VI, at 5. “In addition, each of the parties involved in the migration must have a ‘project manager’ who works with the program manager.”

⁵ *Id.* Section VI, at 5. “The exiting CLEC shall designate a ‘migration manager’ responsible for managing customer

three positions and how they interface.

In Section III of the Guidelines, they state that an exiting carrier is required to file an exit plan with Department and that it must contain certain information.⁶ However, the procedures associated with filing this plan should include more detail. The Department would use this information to determine whether the “plan” is in the public interest. As in determining whether a “borderline” migration warrants implementation of the Guidelines as suggested by RNK, the Department should also review the filed exit plan to determine whether it contains the elements required by the Guidelines. A Department review of the filed exit plan should be completed within 2 business days of the 90-day notice, or within 2 business days of the Department’s decision (suggested above) that a borderline migration meets the threshold for implementing the Guidelines.

3. CONCLUSION

With greater clarity outlined above, RNK recommends the DTE approve the Guidelines.

Sincerely,

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⁶ *Id.* Section III at 4; *See also* Section VI at 6 (i.e., timeline).